

AMENDED IN ASSEMBLY APRIL 30, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1412

Introduced by Assembly Member Wolk
(Coauthors: Assembly Members Goldberg, Koretz, Laird, Levine,
Longville, Montanez, Nation, Pavley, Salinas, and Wiggins)

February 21, 2003

An act to add Chapter 2.66 (commencing with Section 7286.27) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1412, as amended, Wolk. City transactions and use taxes.

Existing law authorizes various local governmental entities, subject to certain limitations and approval requirements, to levy transactions and use taxes in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law. This bill would additionally authorize the City of American Canyon, City of Benicia, City of Beverly Hills, City of Calistoga, City of Capitola, City of Colton, City of Fairfield, City of Fontana, City of Los Angeles, *City of Malibu*, *City of Monterey*, City of Napa, *City of Pacific Grove*, City of Rialto, City of Rio Vista, City of San Bernardino, City of San Fernando, *City of Sand City*, City of Santa Cruz, City of Santa Monica, City of Santa Rosa, City of Scott's Valley, City of Soledad, City of St. Helena, City of Suisun City, City of Vacaville, City of Vallejo, *City of West Hollywood*, City of Winters, and City of Yountville, subject to the approval of ²/₃

or a majority of the voters voting on the issue at an election, to levy a tax pursuant to the Transactions and Use Tax Law at a rate of 0.25% or 0.5%.

This bill would also authorize the City of Petaluma, subject to the approval of $\frac{2}{3}$ or a majority of the voters voting on the issue at an election, to levy a transactions and use tax at a rate of 0.25%, 0.5%, 0.75%, or 1.0%.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 2.66 (commencing with Section
2 7286.27) is added to Part 1.7 of Division 2 of the Revenue and
3 Taxation Code, to read:

4

5 CHAPTER 2.66. AMERICAN CANYON, BENICIA, BEVERLY HILLS,
6 CALISTOGA, CAPITOLA, COLTON, FAIRFIELD, FONTANA, LOS
7 ANGELES, MALIBU, MONTEREY, NAPA, PACIFIC GROVE, RIALTO,
8 RIO VISTA, SAN BERNARDINO, SAN FERNANDO, SAND CITY, SANTA
9 CRUZ, SANTA MONICA, SANTA ROSA, SCOTT'S VALLEY,
10 SOLEDAD, ST. HELENA, SUISUN CITY, VACAVILLE, VALLEJO, WEST
11 HOLLYWOOD, WINTERS, AND YOUNTVILLE TRANSACTIONS AND
12 USE TAXES

13

14 7286.27. (a) (1) Subject to paragraph (2), a qualified city
15 may levy a transactions and use tax at a rate of 0.25 or 0.5 percent,
16 if an ordinance proposing that tax is approved by a two-thirds vote
17 of all of the members of the city council and the tax is approved
18 by either a two-thirds or a majority vote of qualified voters of the
19 city voting in an election on the issue, as determined by the
20 ordinance proposing the tax and establishing how the revenues
21 derived from the tax are to be expended.

22 (2) Any transactions and use tax imposed pursuant to this
23 section shall be levied in accordance with Part 1.6 (commencing
24 with Section 7251).

25 (3) For purposes of this section, "qualified city" means the
26 City of American Canyon, ~~the~~ the City of Benicia, the City of



1 Beverly Hills, the City of Calistoga, the City of Capitola, the City
2 of Colton, the City of Fairfield, the City of Fontana, the City of Los
3 Angeles, the City of ~~Napa~~ Malibu, *the City of Monterey, the City*
4 *of Napa, the City of Pacific Grove*, the City of Rialto, the City of
5 Rio Vista, the City of San Bernardino, the City of San Fernando,
6 *the City of Sand City* the City of Santa Cruz, the City of Santa
7 Monica, the City of Santa Rosa, the City of Scott's Valley, the City
8 of Soledad, the City of St. Helena, the City of Suisun City, the City
9 of Vacaville, the City of Vallejo, *the City of West Hollywood, the*
10 City of Winters, and the City of Yountville.

11 (b) Subject to paragraph (2) of subdivision (a), the City of
12 Petaluma may levy a transactions and use tax at a rate of 0.25, 0.5,
13 0.75, or 1.0 percent, if both of the following conditions are
14 satisfied:

15 (1) An ordinance proposing that tax is approved by a two-thirds
16 vote of all of the members of the city council.

17 (2) The tax is approved by either a two-thirds or a majority vote
18 of qualified voters of the city voting in an election on the issue, as
19 specified by the ordinance proposing the tax and establishing how
20 the revenues derived from the tax are to be expended.

21 SEC. 2. The Legislature finds and declares that a special law
22 is necessary and that a general law cannot be made applicable
23 within the meaning of Section 16 of Article IV of the California
24 Constitution because of the uniquely difficult fiscal pressures
25 being experienced by the Cities of American Canyon, Benicia,
26 Beverly Hills, Calistoga, Capitola, Colton, Fairfield, Fontana, Los
27 Angeles, ~~Napa, Petaluma, Rialto, Rio Vista, San Bernardino, San~~
28 ~~Fernando,~~ *Malibu, Monterey, Napa, Pacific Grove, Petaluma,*
29 *Rialto, Rio Vista, San Bernardino, San Fernando, Sand City, Santa*
30 *Cruz, Santa Monica, Santa Rosa, Scott's Valley, Soledad, St.*
31 *Helena, Suisun City, Vacaville, Vallejo, West Hollywood Winters,*
32 *and Yountville* in providing essential services and funding for city
33 programs and operations.